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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 SCOTT RYAN SIPEREK,

9 Plaintiff,

v.

10 UNITED STATES OF AMERICA,

11 Defendant.

CASE NO. C17-5169 BHS

ORDER RE-NOTING PLAINTIFF'S
MOTIONS FOR ATTORNEY FEES
AND COSTS

12
13 This matter comes before the Court on Plaintiff's motion for attorney's fees and its
14 motion for bill of costs. Dkts. 31, 32.

15 On August 29, 2017, the Court entered an order granting summary judgment in
16 favor of Plaintiff and judgment was entered in this case. Dkt. 29. In the order, the Court
17 ordered that attorney fees be awarded to Plaintiff pursuant to 18 U.S.C § 925A as part of
18 the costs. *Id.* at 17.

19 On September 11, 2017, Plaintiff submitted an additional motion and his bill of
20 costs seeking an award of attorney fees. Dkts. 31, 32. On September 25, 2017, the
21 Government responded requesting that the Court delay any award of costs until after it
22 has decided whether it will pursue an appeal of the Court's order. Dkt. 33 at 3.

1 Alternatively, the Government opposes the award of any fees. Dkt. 33 at 3–5. On
2 September 29, 2017, Plaintiff filed his reply, noting that the Government does not argue
3 that the costs and fees are unreasonable at the rate and amount requested by Plaintiff.
4 Dkt. 37.

5 At the outset, the Court notes that it has already awarded costs, including
6 reasonable attorney fees, to Plaintiff. *See* Dkt. 29 at 17. The Government has not
7 submitted any argument or information not already considered by the Court that would
8 cause it to reconsider the award of costs and fees. Nonetheless, the Government also
9 argues that judicial economy is best served by delaying the award of costs and fees until
10 the litigation is final. *See Harmon v. United States*, 101 F.3d 574, 587 (8th Cir. 1996).
11 Accordingly, the Government requests that the Court delay its consideration of Plaintiff's
12 motion until October 31, 2017, at which point the Government will have filed an appeal
13 or the time for filing an appeal will have expired. The Court will oblige this request.

14 The Clerk shall **RE-NOTE** Plaintiff's motions (Dkts. 31, 32) for consideration on
15 October 31, 2017.

16 **IT IS SO ORDERED.**

17 Dated this 20th day of October, 2017.

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20 BENJAMIN H. SETTLE
21 United States District Judge
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